

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING  
ROOM 113  
TUESDAY, NOVEMBER 23, 1999  
9 A.M.**

Commissioners Present: Kathy Campbell, Chair  
Linda Steinman  
Bob Workman  
Larry Hudkins

Commissioners Absent: Bernie Heier

Others Present: Kerry Eagan, Chief Administrative Officer  
Mike DeKalb, Planning Department  
Larry Worrell, County Surveyor  
Gwen Thorpe, Deputy County Clerk  
Ann Taylor, County Clerk's Office

**AGENDA ITEM**

**1 ADDITIONS TO THE AGENDA**

- a. Microphones in Juvenile Courtrooms
- b. Joint Agency Tours
- c. Microcomputer Requests
  - 1. Juvenile Court, C#99334, Twelve (12) Microsoft Outlook 2000 Licenses, \$1,011.14 from the Juvenile Court Budget
  - 2. Juvenile Probation, C#99337, Two (2) Compaq Pentium III Computers, Monitors and Software, \$3,016.54 from the Microcomputer Fund
  - 3. County Commissioners, C#99338, 50 Additional Novell User Licenses, \$3,589.41 from the Microcomputer Fund
- d. Resource Conservation & Development Program Meeting Report

**MOTION:** Hudkins moved and Steinman seconded approval of the additions to the agenda. On call Hudkins, Steinman, Workman and Campbell voted aye. Motion carried.

**2 RURAL LAND USE OVERVIEW** - Glenn Johnson, Lower Platte South Natural Resources District General Manager

Glenn Johnson, Lower Platte South Natural Resources District (NRD) General Manager, said one of the NRD's roles involves protection of productive agricultural lands. This includes conservation efforts and conversion of productive land to other use. He noted that the level of development may determine impact. Johnson said erosion and run-off in acreage development, one acre or more in size, is less than that of productive agricultural land because a significant portion of the land is reverted to grass. He added that density increases result in increased runoff volume and rate, due to reductions in vegetative cover and frequently watering of lawns.

Eagan suggested that requiring a run-off detention pond in clustered development could be beneficial.

Johnson agreed, stating maintenance is minimal.

Steinman arrived at the meeting.

Johnson said changes in land ownership in anticipation of urbanization frequently alters commitment to conservation. He also noted there are conflicts involving issues of noise, dust and use of pesticides when acreage or urban development is located next to agricultural use.

Johnson said water quantity and quality is also an area of concern. He noted that major portions of the southern and eastern sections of the County, including rural communities, are supplied by rural water. Expansion is limited, due to water capacity and pipe line.

In response to a question from Hudkins, Johnson said the NRD was involved in an initial study of interest and cost of a developing a rural water supply and distribution system in the western section of Lancaster County. Two possible water sources were identified, Branched Oak Lake and the Village of Martell, but there does not appear to be enough concentrated interest to finance such a system. He noted that it might be possible to design and justify development costs of rural water systems, if areas of future development were designated in the Comprehensive Plan.

Campbell asked which of the two options would be less expensive.

Johnson said surface water treatment facilities are more difficult and expensive to maintain. He added that costs could be reduced if existing rural community water storage facilities could be utilized.

In response to a question from Workman, Johnson said approximately 30 percent of the county, excluding urban areas, has good groundwater supply.

Johnson said the NRD is also involved in floodplains, wetlands and retention of wildlife habitat.

Hudkins stated that rural landowners have voiced concern with regards to the NRD's involvement in the trails system. He asked whether the NRD has condemnation power in this area.

Johnson said yes, noting recreation is one of the NRD's statutory duties.

**3 LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT** - Scott Holmes, Environmental Health Division Chief; John Miner, South Team Supervisor; John Chess, Environmental Health Specialist

Scott Holmes, Environmental Health Division Chief, said it is the Health Department's policy to include a statement relative to erosion control in any land use plan reviews with development potential directing developers and individuals to the Natural Resources District (NRD) for technical and potential financial assistance. He added that he would like to see the NRD play a more active role in land use plan review.

Holmes said the Health Department is the point of contact for most water and sewer inquiries. It also operates a water and sewer program and conducts existing system inspections required for the mortgage process.

In response to a question from Campbell, Holmes said landowners may continue to use wells following annexation, although most will opt for city water connection. Wells are then frequently used for irrigation purposes, with an annual permit fee.

Steinman inquired about sewer requirements.

Holmes said sewer connection is required if the property is within 300 feet, with the property owner responsible for costs.

John Miner, South Team Supervisor, said the County's sewage program is based on County Resolution No. 2832, which was also adopted by all of the rural municipalities. The Health Department also has an agreement with the Nebraska Department of Environmental Quality to enforce *Title 124- Rules and Regulations for the Design, Operation, and Maintenance of On-Site Wastewater Treatment Systems* (Copy on file in the County Clerk's Office). He added that local codes and regulations will need to be updated to conform to recent revisions to construction standards in this document.

Miner distributed the following materials:

- \* *Waste Stabilization Pond - The Hows & Whys* (Exhibit A)
- \* *Septic Systems - The Hows & Whys* (Exhibit B)

Miner reported that typical costs for a three to four bedroom house are as follows:

- \* \$ 3,000 for a Waste Stabilization Pond (Lagoon)
- \* \$ 5,000 for a Septic System (Septic Tank and Absorption Field)
- \* \$10,000 or more for an Engineer Designed System (Mound, Evaporation Transpiration Absorption Bed or Constructed Wetlands)

Miner noted that house size and soil condition will vary these costs.

Miner estimated that 10 percent of the County has soil suitable to sustain a traditional septic system. He said this estimate is based on data from the Soil Conservation Service.

Hudkins disagreed with that estimation, noting there are many functioning systems within the County.

Miner said clustered development is encouraged and his department works with developers to ensure that waste treatment systems meet regulations and water testing is completed. He added that his department advises developers to inform buyers whenever high levels of manganese and iron are detected, as well as acceptable methods of treatment.

The Board requested Miner to follow-up on a multiple sewer hookup situation on North 14<sup>th</sup> Street.

#### **4 LAW ENFORCEMENT - Terry Wagner, Lancaster County Sheriff**

Terry Wagner, Lancaster County Sheriff, reported that calls for service related to land use issues in his department include litter, dogs at large and the problem of stray bullets when development occurs adjacent to lakes or wildlife management areas where hunting is allowed.

Campbell remarked that individuals moving from urban areas to acreages have a different expectation of services than long-time rural residents.

Wagner said calls for service appear to mirror population growth and annexation. He reported that *An Operational and Architectural Program Statement for the City of Lincoln/Lancaster County, Law Enforcement Center* by CGA Consulting Services, Inc. projected that 48 patrol officers will be needed by 2004. There are currently 36 officers serving in this capacity.

Wagner said the issue of house alarm response in rural areas and whether to initiate a charge for false alarms will need to be addressed in the near future.

Steinman asked Wagner to comment on the issue of junked cars.

Wagner said enforcement and balancing farmers' practice of retaining vehicles for spare parts remains a problem.

#### **RETURNING TO LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT**

Holmes briefly described the land use plan review process, noting a variety of databases are accessed using a Geographic Information System (GIS) connection.

Holmes distributed the following maps:

- \* *Soils - Lancaster County, Nebraska* (Exhibit C)
- \* *Wells Tested Positive for Nitrates at 5 MCL and Above - Lancaster County, Nebraska* (Exhibit D) (**NOTE:** 5MCL should read 5 Milligrams per Liter)

Holmes said Global Positioning Satellite (GPS) technology will be used to further pinpoint the location of wells.

Miner reported that the Health Department is also coordinating digital photography with the County Assessor and County Engineer.

John Chess, Environmental Health Specialist, briefly explained the Wellhead Protection Program, which received initial funding through grants from the Environmental Protection Agency (EPA) and the Environmental Trust Fund.

Chess distributed the following:

- \* *Groundwater and Environmental Pollution Self-Help Checklist for Acreage and Rural Home Owners (Exhibit E)*
- \* *Groundwater and Environmental Pollution Self-Help Checklist for Farmsteads and Farm Fields (Exhibit F)*

Chess also explained the role of high school Future Farmers of America (FFA) programs in pulling water samples, identification of wells and education of landowners.

Holmes said the Sewage Code will be updated in the near future. Fees related to the Water and Sewer Program will also undergo review. He added that his department would also like to initiate a permitting process for sewage system installers.

In response to a question from Workman, Chess stated windmill driven wells are permitted to operate, provided they are properly maintained.

Campbell asked whether the Board should require certain tests as part of the Change of Zone process.

Holmes said yes, if the information would assist the County Board in the decision making process.

Chess said land use history should also be considered.

Miner said there should be some type of mechanism to require developers to pass pertinent information on to buyers.

Hudkins asked why the County Engineer is prohibited from using oil-based paints on oil surface roads.

Chess responded that it was probably prohibited on the federal level.

## **5 ACTION ITEM**

- a. Establish Criteria and Procedure for Acquisition of Site for Election Commissioner

The Board reviewed a memorandum from Don Killeen, County Property Manager, outlining criteria for relocation of the Election Commissioner's Office (Exhibit G).

Dave Shively, Election Commissioner, requested that the availability date be amended to February 1, 2000. He also reported that the building currently utilized for storage of election supplies is listed for sale.

Campbell noted the move will be delayed until November, 2000 if a suitable site is not located that will meet the election schedule.

**MOTION:** Steinman moved and Hudkins seconded to approve the criteria for relocation of the Election Commissioner's Office, amending the availability date to February 1, 2000 and setting a deadline of December 31, 1999 for Request for Proposals (RFP) responses, and to direct Don Killeen, County Property Manager, to proceed with an Request for Proposals (RFP). On call Steinman, Hudkins, Workman and Campbell voted aye. Motion carried.

### **ADDITIONS TO THE AGENDA**

#### a. Microphones in Juvenile Courtrooms

Eagan reported on a change order request for six (6) additional microphones in the Juvenile Courtrooms, at a cost of \$4,065 (Exhibit H).

**MOTION:** Hudkins moved and Workman seconded approval of the request.

Campbell noted that Lane Bakke, Technical Consultant, had reviewed the request and supported the change order.

**ON CALL:** Hudkins, Workman, Steinman and Campbell voted aye. Motion carried.

#### b. Joint Agency Tours

Board consensus to reschedule the tours after the first of the year.

#### c. Microcomputer Requests (Exhibit I)

1. Juvenile Court, C#99334, Twelve (12) Microsoft Outlook 2000 Licenses, \$1,011.14 from the Juvenile Court Budget
2. Juvenile Probation, C#99337, Two (2) Compaq Pentium III Computers, Monitors and Software, \$3,016.54 from the Microcomputer Fund
3. County Commissioners, C#99338, 50 Additional Novell User Licenses, \$3,589.41 from the Microcomputer Fund

**MOTION:** Steinman moved and Workman seconded approval of the three (3) microcomputer requests. On call Steinman, Workman, Hudkins and Campbell voted aye. Motion carried.

d. Resource Conservation & Development Program Meeting Report

Workman reported briefly on a Resource Conservation & Development (RC&D) Program meeting recently held in Plainview, Nebraska, noting concern that political influence appears to dictate federal funding of projects.

**6 ADJOURNMENT**

By direction of the Chair, the meeting was adjourned.

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Bruce Medcalf  
Lancaster County Clerk